

Arens, Sue

From: George, Robert W.
Sent: Monday, December 17, 2007 6:14 PM
To: Jorgensen, Jay T.
Subject: FW: Poultry Litigation Plaintiff's Expert Deposition Schedule

From: George, Robert W.
Sent: Monday, December 17, 2007 6:13 PM
To: 'David Page'
Cc: kelly_burch@oag.state.ok.us; Daniel.Lennington@oag.ok.gov; Trevor.Hammons@oag.ok.gov; David Riggs; Louis Bullock; Richard Garren; Ward, Liza; Xidis, Claire; Bob Nance; 'Jay Jorgensen'; 'Jones, Tim'; 'Stephen Jantzen'; 'Burns, Bryan'; Bond, Michael R.; 'John Elrod'; 'Vicki Bronson'; 'Scott McDaniel'; 'Nicole Longwell'; 'Jennifer Griffin'; 'Robert Redemann'; 'Ehrich, Delmar R.'; 'Kristin Carney'; 'Bruce Freeman'; Jones, Bruce; 'Timothy Webster'; 'Paul Thompson'; 'James Graves'
Subject: RE: Poultry Litigation Plaintiff's Expert Deposition Schedule

David,

Did Ms. Harwood not know that January 9 fell in her first week of classes when you originally proposed that date?

In any event, I have conferred with counsel for the other defendants regarding your amended deposition scheduling proposal. We can accept your proposal regarding the depositions of Lawrence, Taylor and Caneday but cannot accept the proposal with respect to the balance of the experts. Our primary concern relates to the State's desire to delay the depositions of Fisher and Olsen and the corresponding production of their expert materials until the end of the schedule. Our review of the affidavits and your representations lead us to believe that these two experts and their files will contain the bulk of the "data" that the State intends to use to support its preliminary injunction motion. The opinions of several of the other experts appear to be dependent upon the data provided and opinions offered by Fisher and Olsen. Accordingly, we need a complete understanding of the basis for the opinions of Olsen and Fisher before proceeding with depositions of some of the other experts. An earlier production of the Olsen and Fisher materials and earlier depositions of these two experts is also essential to the defendants' ability to prepare a response to the motion and rebuttal experts reports by February 8. Given that a month has passed since these experts were disclosed and the State estimates that another full month is still need just to assemble the voluminous materials that these two experts relied upon, it is unfair to expect the defendants and defendants' experts to be able to absorb and fully respond to the opinions of these two experts within 2 days of their completion of Olsen's deposition.

The State has more than 20 lawyers working on this case. Please devote whatever resources are necessary to expedite the production of the Fisher and Olsen materials. If those materials can be produced promptly, perhaps we could move Fisher and Olsen into the January 15, 23 or 25 dates you have set aside for other experts. Please advise me immediately if the State is not willing to expedite the production of the Fisher and Olsen materials, so we can seek appropriate relief from the Court.

From: David Page [mailto:DPage@edbelllaw.com]
Sent: Monday, December 17, 2007 4:57 PM
To: George, Robert W.
Cc: kelly_burch@oag.state.ok.us; Daniel.Lennington@oag.ok.gov; Trevor.Hammons@oag.ok.gov; David Riggs;



12/19/2007

Louis Bullock; Richard Garren; Ward, Liza; Xidis, Claire; Bob Nance

Subject: Poultry Litigation Plaintiff's Expert Deposition Schedule

Robert, I just received a call from Dr. Harwood and she informed me that the date of her deposition - January 9th - must be changed because it falls during the first week of class. Accordingly, we propose a new date for her deposition on January 23rd. The full schedule as currently proposed is as follows:

NAME	DATE	LOCATION
LAWRENCE	1/3	AG OFFICE – OKC
TAYLOR	1/8	RIGGS-ABNEY – TULSA
CANEDAY	1/11	RIGGS-ABNEY – TULSA
ENGEL	1/15	RIGGS-ABNEY – TULSA
HARWOOD	1/23	RIGGS-ABNEY – TULSA
JOHNSON	1/25	RIGGS-ABNEY – TULSA
FISHER	1/29	RIGGS-ABNEY – TULSA
TEAF	1/31	RIGGS-ABNEY – TULSA
OLSEN	2/6	RIGGS-ABNEY – TULSA

Please call if you have any comments. Thanks, David.



David P. Page, Esquire

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12/19/2007

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